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Docket No. 8971-017-27

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

RE APPLICATION OF: DUNCAN W. McBRANCH, ET AL. GAU: 1645

SERIAL NO: 09/934,680

EXAMINER: UNASSIGNED

FILING DATE: AUGUST 23, 2001

FOR: PEPTIDE NUCLEIC ACID BASED MOLECULAR SENSORS FOR NUCLEIC ACIDS

**RESPONSE TO DECISION ON PETITION**  
**FILING OF DECLARATION UNDER 37 C.F.R. 1.53(f)**

ASSISTANT COMMISSIONER FOR PATENTS  
WASHINGTON, D.C. 20231

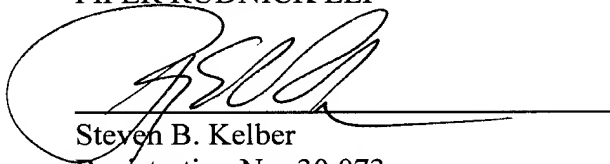
SIR:

Responsive to the Decision on Petition dated June 7, 2002, and in accordance with the provisions of 37 C.F.R. 1.53(f), Applicants submit herewith a Rule 63 Declaration originally submitted unexecuted by the non-signing inventor, Michael Egholm, now executed.

In light of the foregoing, this application is deemed to be in proper condition for examination and such favorable action is earnestly solicited.

Respectfully submitted,

PIPER RUDNICK LLP

  
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Attorney of Record

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Re: Serial No.: 09/934,680  
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Filing Date: AUGUST 23, 2001  
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Group Art Unit: 1645  
Examiner: UNASSIGNED

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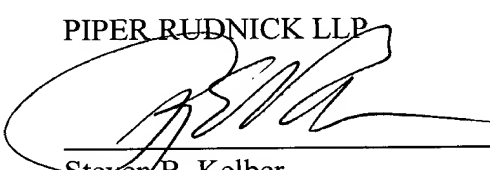
Attached hereto for filing are the following papers:

RESPONSE TO DECISION ON PETITION  
DECLARATION (3 PAGES, EXECUTED)

Our check in the amount of \$ -0- is attached covering any required fees. In the event any variance exists between the amount enclosed and the Patent Office charges for filing the above-noted documents, including any fees required under 37 C.F.R. 1.136 for any necessary extension of time to make the filing of the attached documents timely, please charge or credit the difference to Deposit Account No. 50-1442. Further, if these papers are not considered timely filed, then a request is hereby made under 37 C.F.R. 1.136 for the necessary extension of time. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

PIPER RUDNICK LLP

  
\_\_\_\_\_  
Steven B. Kelber  
Attorney of Record  
Registration No.: 30,073

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